

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

Steidler et al.

**Serial No.:** To be assigned

**Filed:** April 19, 2001

**For:** USE OF A CYTOKINE-PRODUCING  
LACTOCOCCUS STRAIN TO TREAT  
COLITIS

**Examiner:** To be assigned

**Group Art Unit:** To be assigned

**Attorney Docket No.:** 4779US

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EL740535351US

Date of Deposit with USPS: April 19, 2001

Person making Deposit: Daniel Thatcher

1011 U.S. PTO

09/838718



**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56(b) exists.

DOCUMENTS

Foreign Patent Documents

| <u>Document No.</u> | <u>Date</u> | <u>Country</u> |
|---------------------|-------------|----------------|
| WO 96/11277         | 04/18/96    | PCT            |
| WO 97/14806         | 04/24/97    | PCT            |
| WO 00/23471         | 04/27/00    | PCT            |

Other Documents

PCT International Preliminary Examination Report, PCT/EP99/07800, dated January 18, 2001.

PCT International Search Report, PCT/EP99/07800, dated May 2, 2000, 7 pages.

PCT Written Opinion, PCT/EP99/07800, dated July 12, 2000, 4 pages.

Reply to PCT Written Opinion, PCT/EP99/07800, dated October 3, 2000.

PCT Written Opinion, PCT/EP99/07800, dated October 27, 2000, 4 pages.

Reply to PCT Written Opinion, PCT/EP99/07800, dated December 8, 2000.

Steidler et al., "Mucosal Delivery of Murine Interleukin-2 (IL-2) and IL-6 by Recombinant Strains of Lactococcus lactis Coexpressing Antigen and Cytokine", Infection and Immunity, Vol. 66, No. 7, pp. 3183-3189, July 1998.

Steidler et al., "Treatment of Murine Colitis by Lactococcus lactis Secreting Interleukin-10", Science, Vol. 289, pp. 1352-1355, August 25, 2000.

Applicants offer to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

This Information Disclosure Statement is believed to be provided "before the mailing date of a first Office Action on the merits" (37 C.F.R. §1.97(b)(3), and no fee pursuant to 37

C.F.R. § 1.17(p) should be required. In the event that applicants are incorrect in this belief, the Office is authorized to charge the requisite fee from account no. 20-1469.

Respectfully submitted,



Allen C. Turner  
Registration No. 33,041  
Attorney for Applicants  
TRASK BRITT  
P. O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: (801) 532-1922

Date: April 19, 2001

ACT/le

Enclosures: Form PTO-1449

Copy of documents cited

N:\2676\4779\IDS 04/19/01